

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
JUNE 21, 2017
9:00 A.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at the Town Office Building by Supervisor John M. Becker at 9:00 A.M.

Those in attendance for the meeting were: Supervisor John M. Becker; Councilors: Jeff Martin; Kerry Ranger; Thomas Kopp and John Brzuszkiewicz; Highway Superintendent Andy Busa; Attorney for the Town John R. Langey; Comptroller Beth Ellis; and Town Clerk Charlotte A. Ferstler.

Also in attendance were: Parks and Recreation Director, Julie LaFave; Taylor Bottar, of Barton and Loguidice Engineers; Michael Keville, Mayor of Chittenango; Fire Chief Gerald Honors and Member Frank Thompson from Bridgeport Fire Department; Jeff Geer, Chief of Chittenango Fire Department; and Members of the Public.

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF MINUTES OF MEETING

A motion was duly made by Councilor Kopp, seconded by Councilor Martin to move the approval of the minutes of the Town Board meeting of June 7, 2017. Councilor Brzuszkiewicz noted two errors in the minutes and duly made a motion, seconded by Councilor Martin and unanimously passed by the Board to approve the minutes of the Town Board meeting of June 7, 2017 with two (2) corrections to the votes taken on pages 2 and 3 and as amended.

BRIDGEPORT FIRE DEPARTMENT FIRE RESCUE BOAT BID OPENING

Bids, for the purchase of a Fire Rescue Boat for the Bridgeport Fire Department, were opened by Supervisor Becker at 9:08 A.M. and were read aloud. Two (2) bids were received and read as follows:

1. PACIFIC SKIFFS, INC from MARYSVILLE, WA IN THE AMOUNT OF \$139,282.00
2. GRAVOIS ALUMINUM BOATS from JEANERETTE, LA IN THE AMOUNT OF \$175,014.00

Supervisor Becker asked Chief Honors to review the Bids and make a recommendation to the Town Board. Following his review of the Bids, Chief Honors asked that the Bid from Pacific Skiffs, Inc. be accepted by the Town Board. A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board accepting the Bid from Pacific Skiffs, Inc. for the amount of One Hundred Thirty-Nine Thousand Two

Hundred Eighty-Two Dollars (\$139,282.00). Chief Honors made a specific point of stating that he wanted the Public to know that this Rescue Boat will not be of any cost to the taxpayers of the Town of Sullivan.

TOWN OF SULLIVAN HIGHWAY DEPARTMENT HVAC SYSTEM

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz, to authorize Highway Superintendent Busa to advertise for Bids for an HVAC System for the Town of Sullivan Highway Department. Councilor Martin asked Supervisor Becker if he wanted to add a specific warranty on this HVAC System. Superintendent Busa stated that if an extended warranty was added, it would be at an added cost which would increase the price of the unit. Following further discussion, it was the decision of Superintendent Busa not to purchase an extended warranty. The bid opening will be set for July 5, 2017 at 7:00 P.M. at the Town of Sullivan Office Building.

BOND RESOLUTION FOR PROPOSED SALT SPRINGS WATER DISTRICT

Supervisor Becker stated that due to the deadline for filing, the Board needs to pass a Bond Resolution for the proposed Salt Springs Water District. Thereafter, the following action was taken:

TOWN OF SULLIVAN TOWN BOARD BOND RESOLUTION

At a Regular Meeting of the Town Board of the Town of Sullivan, Madison County, New York, held at the Town Hall, located at 7507 Lakeport Road, Chittenango, New York on June 21, 2017 at 9:00 a.m.

The meeting was called to order by the Supervisor, and upon roll being called, there were:

| | | |
|-----------------|-----------------------|------------|
| PRESENT: | John M. Becker | Supervisor |
| | John E. Brzuszkiewicz | Councilor |
| | Thomas J. Kopp Jr. | Councilor |
| | Kerry Ranger | Councilor |
| | Jeffrey Martin | Councilor |

IN THE MATTER OF THE TOWN OF SULLIVAN SALT SPRINGS ROAD WATER DISTRICT PURSUANT TO ARTICLE 12-A OF THE TOWN LAW

The following resolution was offered by Councilor Martin, who moved its adoption, seconded by Councilor Brzuszkiewicz, to wit:

BOND RESOLUTION DATED JUNE 21, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,120,000 BONDS OF THE TOWN OF SULLIVAN, MADISON COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF A WATER SYSTEM TO SERVE SALT SPRINGS ROAD WATER DISTRICT IN SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 12-A of the Town Law, the Town Board of the Town of Sullivan, Madison County, New York, has undertaken to establish Salt Springs Road Water District; and

WHEREAS, the improvements for said Salt Springs Road Water District shall consist of the installation of water mains, valves, hydrants, a pump station, and a water storage tank, as well as the acquisition of land and rights-in-land, and incidental costs in connection therewith, as more fully described in the map, plan and report prepared in connection with said Salt Springs Road Water District; and

WHEREAS, the maximum amount proposed to be expended for said improvements is \$5,120,000; and

WHEREAS, it is now desired to authorize the financing of said improvements.

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Sullivan, Madison County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of a water distribution system, including the installation of water mains, valves, hydrants, a pump station, and a water storage tank to serve Salt Springs Road Water District, including the acquisition of land and rights-in-land and incidental costs in connection therewith, as described in the preambles hereof, there are hereby authorized to be issued \$5,120,000 bonds of the Town of Sullivan, Madison County, New York pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid improvements is \$5,120,000 and that the plan for the financing thereof shall consist of the issuance of the \$5,120,000 bonds of said Town authorized to be issued pursuant to this bond resolution; provided, however, that the amount of bonds ultimately to be issued shall be reduced dollar for dollar by the amount of any grant monies received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years, but will not exceed thirty years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Sullivan, Madison County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually assessed upon and collected from the several lots and parcels of land within said Salt Springs Road Water District in the manner provided by law, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto shall be determined by the Supervisor.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect upon the formal establishment of the Salt Springs Road Water District, shall be published in summary form in the official newspaper of said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

| | | | |
|------------------------------|-------------------|--------------|------------|
| John E. Brzuszkiewicz | Councilor | Voted | Yes |
| Thomas J. Kopp Jr. | Councilor | Voted | Yes |
| Kerry Ranger | Councilor | Voted | Yes |
| Jeffrey Martin | Councilor | Voted | Yes |
| John M. Becker | Supervisor | Voted | Yes |

The foregoing resolution was thereupon declared duly adopted.

DATED: June 21, 2017

CERTIFICATION

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Clerk of the Town of Sullivan, Madison County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on June __, 2017.

/s/CHARLOTTE FERSTLER
Town Clerk

(SEAL)

LEGAL NOTICE

The bond resolution, summary of which is published herewith, has been adopted on June 21, 2017, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Sullivan, Madison County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Chittenango, New York,
June 21st, 2017.

Charlotte A. Ferstler

Town Clerk

BOND RESOLUTION DATED JUNE 21, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,120,000 BONDS OF THE TOWN OF SULLIVAN, MADISON COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF A WATER SYSTEM TO SERVE SALT SPRINGS ROAD WATER DISTRICT IN SAID TOWN.

| | |
|-------------------------------------|---|
| Specific object or purpose: | Construction of a water distribution system, including the installation of water mains, valves, hydrants, a pump station, and a water storage tank to serve Salt Springs Road Water District, |
| Maximum estimated cost: | \$5,120,000 |
| Period of probable usefulness: | Forty years |
| Amount of obligations to be issued: | \$5,120,000 bonds (to be reduced by grants) |

PARKS AND RECREATION DEPARTMENT SUMMER WORK STAFF

Parks and Recreation Director LaFave asked the Board for permission to hire twenty-two (22) employees for the summer sessions for the playground programs. She explained that the summer programs start Monday, June 26, 2017. A motion was duly made by Councilor Martin, seconded by Councilor Ranger and unanimously passed by the Board to approve Director La Fave's request.

**PARKS AND RECREATION DIRECTOR
PERMISSION TO ATTEND CONFERENCES**

Parks and Recreation Director, Julie LaFave asked permission of the Town Board to attend two (2) training conferences this year. The first conference is a Director's Training School that will be held from August 27th to September 1st in West Virginia. Director LaFave has applied for a scholarship for this conference, which will cost Twenty-Seven Hundred Dollars (\$2,700.00) without the scholarship or One Thousand Seven Hundred Twenty-Five Dollars (\$1,725.00) with the scholarship.

The second conference is the National Recreation and Parks Conference be held from September 26th to September 28th in New Orleans. The cost for this Conference is One Thousand Seven Hundred Fifty Dollars (\$1,750.00).

Both of these events will be covered by the Parks and Recreation Department Budget for the year 2017. A motion was duly made by Councilor Martin, seconded by Councilor Ranger. The question of the adoption of the foregoing resolution was duly put to a vote:

John E. Brzuszkiewicz

Councilor

Voted

Yes

| | | | |
|---------------------------|-------------------|------------------|--------------|
| Thomas J. Kopp Jr. | Councilor | Voted | Yes |
| Kerry Ranger | Councilor | Voted | Yes |
| Jeffrey Martin | Councilor | Voted | Yes |
| John M. Becker | Supervisor | Abstained | ----- |

The foregoing resolution was thereupon declared duly adopted.

DEPUTY TOWN CLERK NEW HIRE

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to hire Pamela A. Briones as Deputy Town Clerk at the budgeted salary.

OTHER MATTERS BROUGHT BEFORE THE BOARD

1. Art Lelio, residing at 2708 Waterbury Road, stated that the New York State Legislature has proposed that voters in New York State do not have to approve the Constitutional Convention for the year. Supervisor Becker stated that the County Board of Supervisors had already brought this matter to the floor and passed a resolution in favor of this proposal.
2. Several residents of the Proposed Salt Springs Water District Formation were in attendance at this meeting and questioned the Board regarding the next steps. Supervisor Becker stated that he has the Petitions that were signed against forming the District. Attorney Langey stated that the Water District proposal will now be published and a special referendum election will be set up for voting. He also stated that the actual voting will be between August 18th and September 2nd and only the owners of real property within the proposed District will be eligible to vote on the formation of the District.
3. Susan Brown, owner of property located on Petrie Road, Route 31 and Raymond Carney, and the prospective buyer of the property appeared with a few questions for the Board. Ms. Brown asked when a decision will be made on their application. Supervisor Becker stated that the Town Board will make their decision as to whether to proceed with the PDD at the next regular meeting and the decision will be sent on to the Planning Board for the final review and decision. Mr. Carney again invited any of the public or Town Board Members to visit the old site on Island Road or the proposed new site on Petrie Road. He stated that anyone can call him and he will give them a tour of the property and show what he is proposing.

EXECUTIVE SESSION

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to go into executive session to seek legal advice and invited Attorney Langey into the session at 9:27 A.M.

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to close the executive session at 10:00 A.M.

ADJOURNMENT

A motion was duly made by Councilor Kopp, seconded by Councilor Ranger and unanimously passed by the Board to adjourn the meeting at 10:01 A.M.

Respectfully Submitted,
Charlotte A. Ferstler, Town Clerk